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Attorney for Plaintiff
BRANDON CHATOIAN

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

BRANDON CHATOIAN,	}	
	}	No.: C 11-02322 JSW
	}	
Plaintiff,	}	
	}	Hon. Jeffrey S. White
vs.	}	
	}	
WATERWORK INDUSTRIES	}	
INCORPORATED, et al.,	}	
	}	
Defendants.	}	
	}	

STIPULATION AND ORDER AS MODIFIED

FOR LEAVE TO FILE AMENDED COMPLAINT

STIPULATION

WHEREAS information has been shared between the parties and Plaintiff has prepared and served the ~~attached~~ AMENDED COMPLAINT at Docket 16, Ex. 1, which deletes one claim; adds one new and different claim; for clarity, divides two previously stated claims; and better states each claim;

WHEREAS Defendants filed their joint Answer after this action was removed to this Court and leave of this Court is required;¹

WHEREAS counsel for Plaintiff and counsel for Defendants conferred and agreed to the filing of an AMENDED COMPLAINT which upon filing shall become the Complaint in this matter;

AND WHEREAS counsel for Plaintiff and counsel for Defendants conferred and agreed that Defendants shall serve and file their responsive pleading(s) on or before July 29, 2011:

NOW, THEREFORE, IT IS STIPULATED and agreed that Plaintiff shall, upon the granting of leave, forthwith file the proposed

1. Rule 15 provides that a party may amend its pleading once as a matter of course at any time before a responsive pleading is served; “[o]therwise, a party may amend the party’s pleading only by leave of court [which] shall be freely given when justice so requires.” Fed. R. Civ. P. 15.

1 Amended Complaint. Upon its filing, the proposed Amended Complaint shall
2 become the Complaint in this matter. Defendants shall file their responsive
3 pleading(s) on or before July 29, 2011.
4

5 Kilpatrick Townsend & Stockton LLP,
6 Attorneys for Defendants Waterworks
7 Industries and Mathias Toupin, by:

8 s/ Kathleen Dodd Barton

Dated: July 1, 2011

9 KATHLEEN DODD BARTON

10
11 Plaintiff Brandon Chatoian, by:

12 s/ Lanny Jay

Dated: July 1, 2011

13
14 LANNY JAY

15 **ORDER**

16
17 It is so Ordered.

18
19 
20 JEFFREYS. WHITE
21 U.S. DISTRICT COURT JUDGE

Dated: July 5, 2011